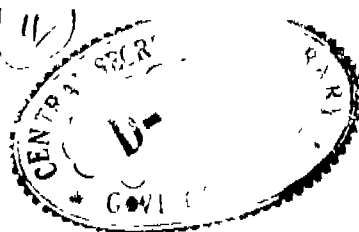


Sub Sec (11)



The Gazette of India



PUBLISHED BY AUTHORITY

No. 20] NEW DELHI, SATURDAY, MAY 16, 1959/VAISAKHA 26, 1881

NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 5th May 1959 :—

Issue No.	No. and date	Issued by	Subject
68	S.O. 992, dated 30th April, 1959.	Ministry of Steel, Mines and Fuel.	Giving notice to acquire lands described therein.
69	S.O. 993, dated the 1st May, 1959.	Ministry of Commerce and Industry.	Appointment of Shri V. P. S. Menon, Industrial Adviser, Development Wing, as Controller of Motor Cars for the purposes of Motor Cars (Distribution and Sale) Control Order, 1959.
	S.O. 994, dated 1st May, 1959.	Do. . .	The Motor Cars (Distribution and Sale) Control Order, 1959.
70	S.O. 995, dated 1st May, 1959.	Ministry of Labour and Employment.	Referring the dispute specified therein, between the employers and workmen, in relation to the New Jinagara Colliery, for adjudication to the Industrial Tribunal, Dhanbad.
	S.O. 996, dated 1st May, 1959.	Do. . .	Prohibiting the continuance of strike in existence in the New Jinagara Colliery.
71	S.O. 997, dated 30th April, 1959.	Do. . .	Award to Reference No. (CGIT) No. 9 of 1957.
72	S.O. 998, dated 4th May, 1959.	Ministry of Steel, Mines & Fuel.	Direction that provisions of Section 8 of Coal Bearing Areas (Acquisition and Development) Act, 1957, shall not apply in respect of lands specified therein.

Issue No.	No. and date	Issued by	Subject
73	S.O. 1067, dated 5th May, 1959.	Ministry of Law	Declaration in regard to the Election by the elected Members of the Orissa Legislative Assembly to fill a vacancy in the Council of States.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3—Sub-section (ii)

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 22nd April 1959

S.O. 1072.—In pursuance of sub-section (2) of Section 7 of the Port Haj Committees Act, 1932 (XX of 1932), the Central Government is pleased to nominate Shri R. N. Chaudhury, Divisional Commercial Superintendent, Western Railway, Bombay Central, Bombay, as a member of the Port Haj Committee, Bombay *vice* Shri Lexman Iyer.

[No. F. 18(20)-IAT/59.]

P. N. KAUL, Dy. Secy.

MINISTRY OF FINANCE

(Department of Economic Affairs)

New Delhi, the 6th May 1959

S.O. 1073.—In exercise of the powers conferred by section 53 of the Banking Companies Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of sub-clause (i) of clause (c) of sub-section (1) of section 10 of the said Act shall not apply to the Sangli Bank Ltd., till the 21st May 1960, in so far as the said provisions prohibit its Manager from being a director of the Spices and Oilseeds Exchange Ltd., Sangli.

[No. F. 4(33)-BC/59.]

New Delhi, the 7th May 1959

S.O. 1074.—In exercise of the powers conferred by section 53 of the Banking Companies Act, 1949 (10 of 1949), the Central Government on the recommendation of the Reserve Bank of India, hereby declares that the provisions of section 24 of the said Act shall not apply to any banking company for a further period of one year from the 9th June 1959 in so far as such provisions—

- (a) require the inclusion of borrowings by the banking company from the State Bank of India and the State Bank of Hyderabad in computing the time and demand liabilities in India of the banking company; and

- (b) preclude the maintenance by the banking company of the amount specified in that section in the form of approval securities which are lodged with another institution for an advance or other credit arrangement, such securities being valued at a price not exceeding the current market price less the extent to which they have been drawn against or credit arrangements in regard to them have been availed of.

[No. F. 4(40)-BC/59.]

R. K. SESHADRI, Dy. Secy.

(Department of Economic Affairs)

New Delhi, the 7th May, 1959

S.O. 1075.—Statement of the Affairs of the Reserve Bank of India, as on the 1st May, 1959.

BANKING DEPARTMENT

Liabilities	Rs.	Assets	Rs.
Capital paid up	5,00,00,000	Notes	27,52,86,000
Reserve Fund	80,00,00,000	Rupee Coin	6,08,000
National Agricultural Credit (Long-term Operations) Fund	25,00,00,000	Subsidiary Coin	3,84,000
National Agricultural Credit (Stabilisation) Fund	3,00,00,000	Bills Purchased and Discounted :—	
Deposits :—		(a) Internal
(a) Government		(b) External
(1) Central Government	53,28,01,000	(c) Government Treasury Bills	5,10,27,000
(2) Other Governments	22,44,05,000	Balances held abroad*	25,21,30,000
(b) Banks	83,70,47,000	**Loans and Advances to Governments	39,39,24,000
(c) Others	118,05,68,000	Other Loans and Advances†	75,96,77,000
Bills Payable	15,70,96,000	Investments	264,97,71,000
Other Liabilities	45,05,15,000	Other Assets	12,96,25,000
TOTAL .	451,24,32,000	TOTAL .	451,24,32,000

*Includes Cash & Short term Securities.

**Includes Temporary Overdrafts to State Governments.

†The item 'Other Loans and Advances' includes Rs. 10,47,04,000/- advanced to scheduled banks against usance bills under Section 17 (4) (c) of the Reserve Bank of India Act.

Dated the 6th day of May, 1959.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 1st day of May 1959.

ISSUE DEPARTMENT

Liabilities	Rs.	Rs.	Assets	Rs.	Rs.
Notes held in the Banking Department	27,52,86,000		A. Gold Coin and Bullion :—		
Notes in circulation	1751,10,70,000		(a) Held in India	117,76,03,000	
Total Notes issued		1778,63,56,000	(b) Held outside India	
			Foreign Securities	178,00,89,000	
			TOTAL OF A.		295,76,92,000
			B. Rupee Coin		132,05,85,000
			Government of India Rupee Securities		1350,80,79,000
			Internal Bills of Exchange and other commercial paper
TOTAL—LIABILITIES		1778,63,56,000	TOTAL—ASSETS		1778,63,56,000

Dated the 6th day of May, 1959.

K. G. AMBEGAOKAR,
Deputy Governor.

[No. F 3(2)-BC/59]
A. BAKSI, Jt. Secy,

(Department of Revenue)

ORDER

STAMPS

New Delhi, the 7th May 1959

S.O. 1076.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the lease deed, dated the 28th February, 1959, executed by the High Commissioner for the United Kingdom in India in respect of the property at 13/39, Kautilya Marg, (Ground floor), New Delhi, is chargeable under the said Act.

[No. 12. F. No. 1/27/59-Stamps/Cus.VII.]

D. N. LAL, Under Secy.

CENTRAL BOARD OF REVENUE

INCOME-TAX

New Delhi, the 8th May 1959

S.O. 1077.—In exercise of the powers conferred by sub-section (2) of Section 5 of the Indian Income-tax Act, 1922 (11 of 1922), and in partial modification of all previous notifications on the subject, the Central Board of Revenue hereby directs that with effect from 1st May 1959 (forenoon), Shri N. D. Mehrotra, a Commissioner of Income-tax, shall perform all the functions of Commissioner of Income-tax in respect of such areas or of such persons or classes of persons or such incomes or classes of incomes or such cases or classes of cases as are comprised in the Income-tax Circles, Wards or Districts in the Bombay City and Bombay Suburban Districts specified below:—

1. Companies Circle I (All Sections).
2. Companies Circle II (All Sections).
3. Companies Circle III(6).
4. Companies Circle IV (All Sections)
5. Bombay Circle I (E.P.T.).
6. A-I Ward.
7. A-III Ward.
8. A-IV Ward.
9. A-V Ward.
10. Market Ward.
11. C-II Ward.
12. Salaries Branch I.
13. Salaries Branch II.
14. Bombay Refund Circle.
15. Non-residents Refund Circle.
16. Foreign Section.
17. Income-tax cum Estate Duty Circle.
18. Special Survey Circle I.
19. Special Survey Circle IV.
20. Special Investigation Branch.
21. Evacuee Circle I.

Provided that he shall also perform his functions in respect of such persons or of such cases as have been or may be assigned by the Central Board of Revenue to any Income-tax Authority subordinate to him:

Provided further that he shall not perform his functions in respect of such persons or such cases as have been or may be assigned to any Income-tax Authority outside his jurisdiction area.

While performing the said functions the said Shri Mehrotra shall be designated as the Commissioner of Income-tax, Bombay City I with headquarters at Bombay.

[*Explanatory Note*

NOTE.—The amendments have become necessary due to the change in the incumbent of the Commissioner's post.

(The above note does not form a part of the amendments but is intended to be merely clarificatory).

[No. 61 (F. No. 55/27/59-IT.).]

B. V. MUNDKUR, Under Secy.

New Delhi, the 16th May 1959

S.O. 1078—In exercise of the powers conferred by clause (c) of section 11 of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry, the Central Board of Revenue hereby makes the following further amendment in its Notification No. 117-Customs, dated the 9th September, 1950, namely:—

In the Schedule to the said notification, against the port of Albert Victor, in column 3, after entry No. 3 the following entry shall be inserted, namely:—

- “(4) The new jetty constructed by M/s. Junagadh Salt & Allied Chemical Works at Bherai, just opposite Victor jetty in the creek of Bherai for landing and shipment of salt and other merchandise.”

[No. 95.]

M. C. DAS, Secy.

MYSORE CENTRAL EXCISE COLLECTORATE, BANGALORE

CENTRAL EXCISE

Bangalore, the 25th April, 1959

S.O. 1079—In pursuance of Rule 5 of the Central Excise Rules, 1944, I empower Central Excise Officers of and above the rank specified in col. 1 of the table below to exercise within their respective jurisdiction, the powers of ‘Collector’ conferred by the provisions of the Central Excise Rules enumerated in Column 2 subject to the limitations set out in Column 3 of the table.

TABLE

Rank of officer	Central Excise Rules	Limitations
Superintendent of Central Excise.	96'o'	To grant permission under sub-rule 1 of the rule to the licensees to avail of the special procedure.

[No. 4/59.]

[File No. C. No. VI/Y/21/32/51.B.I.]

D. N. KOHLI, Collector.

CENTRAL EXCISE COLLECTORATE, BOMBAY

(CENTRAL EXCISES)

MANUFACTURED PRODUCTS

Bombay, the 30th April 1959

S.O. 1080—In exercise of the powers conferred upon me under Rule 5 of the Central Excise Rules, 1944, I hereby empower the Superintendents of Central Excise, in this Collectorate, to exercise within their respective jurisdictions

the powers of the Collector under Rule 960 of the Central Excise Rules, 1944, as inserted by the Government of India, Ministry of Finance (Department of Revenue) Notification No. 45/59-Central Excises, dated the 21st April, 1959.

[No. CER/96-0/1/59.]

T. C. SETH, Collector.

CENTRAL EXCISE COLLECTORATE, DELHI

ADDENDUM

CENTRAL EXCISE

New Delhi, the 8th May 1959

S.O. 1081.—In the list of non-excisable goods, and intermediate and residual products of excisable commodities appended to the Delhi Collectorate Notification No. S.R.O. 1667 dated the 17th June, 1956, published on pages 1250-51 in the Gazette of India, Part II Section 3, against item 'Footwear', 'Upper straps of Hawal slippers' should also be inserted.

[No. C. VI(0)21/3CE/59/21155.]

B. D. DESHMUKH, Collector.

OFFICE OF THE ASSISTANT COLLECTOR OF CENTRAL EXCISE, GOA FRONTIER DIVISION, BELGAUM

NOTICES

Belgaum, the 7th May 1959

S.O. 1082.—Whereas it appears that the marginally

Serial No.	Description	Qty.
<i>Head load No. 1</i>		
1	Cotton Sarrees—9Yds -Handloom—assorted (New)	28
2	Old plastic transparent cover	1
3	Chaddars—Handlooms—coloured.	1 pair
4	Gunny bag—old piece	1
<i>Head load No. 2</i>		
5	New Cotton Sarrees—5 Yds. assorted colours.	20
6	Cotton sarrees—8 1/2 yds. assorted colours	27
7	One Resin cloth bag	1
8	Gunny bag piece—old	1
<i>Head load No. 3</i>		
9	Cotton Sarrees—9 yds. assorted colours	28
10	Old gunny bag piece	1
11	Plastic piece transparent	1
12	New Umbrella	1

noted goods which were seized by the Sub-Inspector C. Ex-Sohya at a place known as Nana Sari in the vicinity of the Indo-Goa border on 25-10-58 were about to be exported by Land to Goa (Portuguese possessions in India) in contravention of Section 5 (1) of the Land Customs Act, 1924 and the Government of India Ministry of Commerce and Industries Export Control Order, No. 1/54 dated 10-5-54 Export Control Order No. 1/58 dated 1-5-58 issued under Section 3 of the Imports and Exports Control Act, 1947 and further deemed to have been issued under Section 19 of the Sea Customs Act, 1878 (in respect of items 1, 3, 5, 6, 9 and 12 noted in the margin).

2. Now therefore, any person claiming the goods is hereby called upon to show cause to the Assistant Collector of Central Excise, and Land Customs, Goa Frontier Division, Belgaum why the above mentioned goods should not be confiscated under Section 5(3) of the Land Customs Act, 1924 read with Section 167(8) of the Sea Customs Act, 1878 and the remaining goods at S. No. 2, 4, 7, 8, 10, and 11 under Section 168 of the Sea Customs Act, 1878 and why a penalty should not be imposed on him under Section 7(i)(c) of the Land Customs Act, 1924 read with Section 167(8) of the Sea Customs Act, 1878.

3. If such a owner fails to turn up to claim the above mentioned unclaimed goods or to show cause against the action proposed to be taken within 30 days from the publication of this notice in the Government of India Gazette, the goods in question will be treated as unclaimed and the case will be decided accordingly.

[No. VIII(b)10-411/58.]

S.O. 1083.—Whereas it appears that the marginally					Qty.	No.	noted goods which were seized by the Inspector C. Ex. Satarda at a place known as Sima in the vicinity of Indo-Goa border on 14-12-58 were about to be exported by Land to Goa (Portuguese possessions in India) in contravention of Section 5(1) of the Land Customs Act, 1924, and the Govt. of India Ministry of Commerce and Industries Export Control Order No. 1/54 dated 10-5-54 Export Control Order No. 1/58 dated 1-5-58 issued under Section 3 of the Imports and Exports Control Act, 1947 and further deemed to have been issued under Section 19 of the Sea Customs Act, 1878 (in respect of items 1 to 17 noted in the margin).
Sl. No.	Description						
Package I.							
1	Pocket Diaries of year 1959	.	.	.	10		
2	Big size Do.	.	.	.	6		
3	Pocket Diaries Do.	.	.	.	13		
4	Do. Do.	.	.	.	9		
5	Do. Do.	.	.	.	10		
6	Do. Do.	.	.	.	20		
7	Do. Do.	.	.	.	20		
8	Story Books of Trade Depot. and other Co.				693		
					Books		
9	Vasant D'wali Magzine of year 1958	.	.	.	30		
					Books		
10	Drama Books	.	.	.	9		
11	Do.	.	.	.	90		
12	Do.	.	.	.	33		
13	Do.	.	.	.	16		
14	Do. (different)	.	.	.	26		
Package II							
15	Cards of caring of artificial Pearls				200		
					cards.		
			(1 doz. in		each)		
16	Tins of asafoetida 'Laxmi Brand'	10 lbs.			80		
					tins.		
17	Water proof bag.	.	.	.	1		

2. Now therefore, any person claiming the goods is hereby called upon to show cause to the Assistant Collector of Central Excise, Goa Frontier Division, Belgaum why the above mentioned goods should not be confiscated under Section 5(3) of the Land Customs Act, 1924 read with Section 167(8) of the Sea Customs Act, 1878 and why a penalty should not be imposed on him under Section 7(i)(c) of the Land Customs Act, 1924 read with Section 167(8) of the Sea Customs Act, 1878.

3. If such a owner fails to turn up to claim the above mentioned unclaimed goods or to show cause against the action proposed to be taken within 30 days from the publication of this notice in the Government of India Gazette, the goods in question will be treated as unclaimed and the case will be decided accordingly.

[No. VIII(b)10-81/59]

S.O. 1084.—Whereas it appears that the marginally noted goods which were seized by the Sub-Inspector C. Ex. Kas, in the jurisdiction of Ch. No. 30 in the vicinity of the Indo-Goa border on 6-1-1959 were about to be exported by Land to Goa (Portuguese possessions in India) in contravention of Section 5(1) of the Land Customs Act, 1924 and the Govt. of India Ministry of Commerce and Industries Export Control Order No. 1/54 dated 10-4-54 /Export Control Order No. 1/58 dated 1-5-58 issued under Section 3 of the Imports and Exports Control Act, 1947 and further deemed to have been issued under Section 19 of the Sea Customs Act, 1878 (in respect of items 1 to 4 noted in the margin.

2. Now therefore, any person claiming the goods is hereby called upon to show cause to the Assistant Collector of Central Excise and Land Customs, Goa Frontier Division, Belgaum why the above mentioned goods should not be confiscated under Section 5(3) of the Land Customs Act, 1924 read with Section 167(8) of the Sea Customs Act, 1878 and why a penalty should not be imposed on him under Section 7(i)(c) of the Land Customs Act, 1924 read with Section 167(8) of the Sea Customs Act, 1878.

3. If such a owner fails to turn up to claim the above mentioned unclaimed goods or to show cause against the action proposed to be taken within 30 days

from the publication of this notice in the Government of India Gazette, the goods in question will be treated as unclaimed and the case will be decided accordingly.

[No. VIII (b)/10-103/59.]

S.O. 1085.—Whereas it appears that the marginally noted goods which were

- | | | |
|-----|---|------------|
| i. | Gunny bag containing
Press-Bu ions No. 555.. | 470 Gross. |
| ii. | Hand Bag | I |

seized by the S.R.P. party at a place in Aros Jungle in the vicinity of the Indo-Goa border on 29th October 1958 were imported by lan from Goa (Portuguese possessions

in India) in contravention of Section 5(1) of the Land Customs Act, 1924 and the Government of India Ministry of Commerce and Industries Import Control Order No. 17/55 dated 7th December, 1955 issued under Section 3 of the Imports and Exports Control Act, 1947 and further deemed to have been issued under Section 19 of the Sea Customs Act, 1878 (in respect of item one noted in the margin).

2. Now therefore, any person claiming the goods is hereby called upon to show cause to the Assistant Collector of Central Excise and Land Customs, Goa Frontier Division, Belgaum why the above mentioned goods should not be confiscated under Section 5(3) of the Land Customs Act, 1924 read with Section 167(8) of the Sea Customs Act, 1878 and the hand bag at item No. 2 under Section 168 of the Sea Customs Act, 1878 and why a penalty should not be imposed on him under Section 7(i)(c) of the Land Customs Act, 1924 read with Section 167(8) of the Sea Customs Act, 1878.

3. If such a owner fails to turn up to claim the above mentioned unclaimed goods or to show cause against the action proposed to be taken within 30 days from the publication of this notice in the Government of India Gazette, the goods in question will be treated as unclaimed and the case will be decided accordingly.

[No. VIII(b)10-120/59.]

ORDERS

Belgaum, the 7th May 1959

S.O. 1086.—Whereas it appears that the marginally noted goods which were seized by the

- | | | |
|---|------------------------------|------------------|
| 1 | One bag containing betelnuts | I B.Md |
| 2 | Do. | I „ |
| 3 | Do. | I „ |
| 4 | Do. | I „ |
| 5 | Water proof bag | I |

Inspector C.E. Sarada at a place known as Matebaug in the vicinity of the Indo-Goa border on 8-1-59, were imported by land from Goa (Portuguese possessions in India) in contravention of Section 5(1) of the Land Customs Act, 1924 and the Government of India,

Ministry of Commerce and Industries Import Control Order No. 17/55 dated 7-12-1955, issued under Section 3 of the Imports and Exports Control Act, 1947, and further deemed to have been issued under Section 19 of the Sea Customs Act, 1878 (in respect of items 1 to 5 noted in the margin)

2. Now, therefore any person claiming the goods is hereby called upon to show cause to the Assistant Collector of Central Excise and Land Customs, Goa Frontier Division, Belgaum why the above mentioned goods should not be confiscated under Section 5(3) of the Land Customs Act, 1924, read with Section 167(8) of the Sea Customs Act, 1878., and why a penalty should not be imposed on him under Section 7(1)(c) of the Land Customs Act, 1924, read with Section 167(8) of the Sea Customs Act, 1878.

3. If such a owner fails to turn up to claim the above mentioned unclaimed goods or to show cause against the action proposed to be taken within 30 days from the publication of this notice in the Government of India Gazette the goods in question will be treated as unclaimed and the case will be decided accordingly.

[No. VIII(b)10-117/59.]

S.O.1087—Whereas, it appears that the marginally noted goods which were seized by the Sub Inspector F.S. Hubli on Alnawar Railway Station on 30-1-59, were imported by land from Goa (Portuguese possession in India) in contravention of Section 5(1) of the Land Customs Act, 1924, and the Govt. of India, Ministry of Commerce and Industries Import Control Order No. 17/55, dated 7-12-55 issued under Section 3 of the

1. "555" Rust Proof press studs made in Germany	168 grs.	}	Imports and Exports Control Act, 1947, and further deemed to have been issued under Section 19 of the Sea Customs Act, 1878 (in respect of items 1 and 2 noted in the margin.)
	(84 boxes each of 2 Grs.)		
2. "Cook's clip rite" nail cutters made in USA	420 pcs.		
3. Bedding (old)	1	}	
4. Canvas hand-bag (old) containing old clothes	1		
	(Bedsheet & towel both old.)		

Imports and Exports Control Act, 1947, and further deemed to have been issued under Section 19 of the Sea Customs Act, 1878 (in respect of items 1 and 2 noted in the margin.)

2. Now therefore, any person claiming the goods is hereby called upon to show cause to the Assistant Collector of Central Excise, and Land Customs Goa Frontier Division, Belgaum why the above mentioned goods should not be confiscated under Section 5(3) of the Land Customs Act, 1924, read with Section 167(8) of the Sea Customs Act, 1878 and the articles at items 3 and 4 under Section 168 of the Sea Customs Act, 1878 and why a penalty should not be imposed on him under Section 7(1)(c) of the Land Customs Act, 1878.

3. If such a owner fails to turn up to claim the above mentioned unclaimed goods or to show cause against the action proposed to be taken within 30 days from the publication of this notice in the Government of India Gazette, the goods in question will be treated as unclaimed and the case will be decided accordingly.

[No. VIII(b)10-116/59.]

E. R. SRIKANTIA,

Asstt. Collector.

MINISTRY OF COMMERCE AND INDUSTRY

New Delhi, the 12th May 1959

S.O. 1088.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby directs that the following amendments shall be made in the Textile Commissioner's Organisation, Bombay (Recruitment to Class III Posts) Rules, 1958, published with the notification of the Government of India in the Ministry of Commerce and Industry No. 21(46)-Tex B/57 dated the 23rd December, namely 1958:—

In the Schedule to the said rules—

- (1) Against the post of Technical Assistant Grade I, for the existing entry in column 9, the following entry shall be substituted, namely:—

"Should possess a degree or diploma in Textile Technology. In the latter case candidates should be matriculates. They should possess a good knowledge in Spinning, Weaving and Costing of Cotton Textiles. Those who are having previous experience in Mills preferred";

- (2) Against the post of Technical Assistant Grade II, in the entry in column 8, for the word 'placed' the word 'displaced' shall be substituted;

- (3) Against the post of Accountant, in the entry in column 3, for the figures "200—15—300—30—500", the figures '200—15—380—500' shall be substituted.

[No. 21(46)-Tex.B/57.]

V. V. NENE, Under Secy.

New Delhi, the 16th May, 1959

S.O. 1089.—The Central Government, having considered in consultation with the Forward Markets Commission the application for renewal of recognition made under section 5 of the Forward Contracts (Regulation) Act, 1952 (74 of 1952) by The Ahmedabad Seeds Merchants' Association Limited, Ahmedabad, and being satisfied that it would be in the interest of the trade and also in the public interest so to do, hereby grants, in exercise of the powers conferred by section 6 of the said Act, recognition to the said Association on a permanent basis with effect from the 26th May 1959, in respect of forward contracts in *Castorseed*.

2 The recognition hereby granted is subject to the condition that the said Association shall comply with such directions as may from time to time be given by the Forward Markets Commission.

[No. 34(7)-TMP/FMC/59-I.]

S.O. 1090.—The Central Government having considered in consultation with the Forward Markets Commission, the application for renewal of recognition made under section 5 of the Forward Contracts (Regulation) Act, 1952 (74 of 1952) by The Ahmedabad Seeds Merchants' Association Limited, Ahmedabad, and being satisfied that it would be in the interest of the trade and also in the public interest so to do, hereby grants, in exercise of the powers conferred by section 6 of the said Act, recognition to the said Association on a permanent basis with effect from the 26th May 1959, in respect of forward contracts in *cottonseed*.

2. The recognition hereby granted is subject to the condition that the said Association shall comply with such directions as may from time to time be given by the Forward Markets Commission.

[No. 34(7)-TMP/FMC/59-II.]

ORDER

EXPORT TRADE CONTROL

New Delhi, the 16th May, 1959

S.O. 1091.—In exercise of the powers conferred by sections 3 and 4A of the Imports and Exports (Control) Act, 1947 (18 of 1947), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following further amendments in the Exports (Control) Order, 1958, namely:—

In Schedule I to the said Order—

Under the heading "A. ANIMALS, FOOD AND DRINK", the following entries of item 1—A shall be omitted:—

- "(iv) Bear Cat,
- (v) Black Buck,
- (ix) Clouded Leopard,
- (xii) Dear tribe,
- (xiii) Dugong,
- (xvii) Four-horned antelope,
- (xxiv) Indian Gazelle,
- (xxvi) Indian Swamp deer,
- (xxxv) Markhor,
- (xxxvii) Monitor Lizards,
- (xl) Musk Deer,
- (xlix) Snow Leopard,
- (l) South Indian Marten,
- (li) Spotted Lisang,
- (liv) Urial."

[No. Export(1)/AM(22).]

T. S. KUNCHITHAPATHAM, Under Secy.

ORDERS

New Delhi, the 9th May 1959

S.O. 1092.—/IDRA/6/13.—In exercise of the powers conferred by section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby appoints Shri M. Gopala Rao, Deputy Technical Director, National Productivity Council, New Delhi, as a member of the Development Council established by the Order of the Government of India in the Ministry of Commerce and Industry S.R.O. 205, dated the 4th March, 1958, for the scheduled industries engaged in the manufacture and production of Soaps, Paints and Plastics and directs that the following amendment shall be made in the said Order, namely:—

In paragraph 1 of the said Order, under the category of members "being persons who, in the opinion of the Central Government have special knowledge of matters relating to the technical or other aspects of the said scheduled industries" after entry No. 16D relating to Shri Waman P. Joshi, the following entry shall be inserted, namely:—

"16E. Shri M. Gopala Rao, Deputy Technical Director, National Productivity Council, Golf Links, New Delhi."

[No. 5(32)IA(II)(G)/57.]

New Delhi, the 11th May 1959

S.O. 1093.—/IDRA/6/12.—In exercise of the powers conferred by section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby appoints the Secretary, Sheep Breeders' Association, Rajasthan, Jaipur, as a member of the Development Council established by the Order of the Government of India in the Ministry of Commerce & Industry S.R.O. 2320/IDRA/6/12, dated the 31st August 1957, for the scheduled industries engaged in the manufacture and production of textiles made of wool, including woollen yarn, hosiery carpets and druggets, and directs that the following amendment shall be made in the said Order, namely:—

In paragraph 1 of the said Order, under the category of members "being persons who, in the opinion of the Central Government are capable of representing the interests of consumers of goods manufactured or produced by the said scheduled industries" for entry No. 18 relating to Shri Thakur Surendra Singh Ji, substitute the following, namely:—

"18. The Secretary, Sheep Breeders' Association, Rajasthan State, Jaipur."

[No. 4(18)IA(II)(G)/58.]

S.O. 1094/IDRA/6/15.—In exercise of the powers conferred by section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby appoints Shri R. N. Warrior, Deputy Technical Director, National Productivity Council, New Delhi, to be a member of the Development Council for the scheduled industry engaged in the manufacture or production of alcohol and other products of fermentation industries and makes the following amendment in the Order of the Government of India in the Ministry of Commerce and Industry Order No. S.R.O. 1904, dated the 16th September, 1958, namely:—

In the said Order, under the category of persons who, in the opinion of the Central Government have special knowledge of matters relating to the technical or other aspects of the said scheduled industries, after entry No. 9B relating to Shri Y. N. Varma, the following entry shall be inserted, namely:—

"9C. Shri R. N. Warrior, Deputy Technical Director, National Productivity Council, Golf Links, New Delhi."

[No. 4/45/IA(II)(G)/58.]

New Delhi, the 12th May 1959

S.O. 1095/IDRA/6/8.—In exercise of the powers conferred by section 6 of the Industries (Development and Regulation) Act, 1951, (65 of 1951), the Central Government hereby appoints Shri S. Krishnamurti and Dr. G. S. Kasbekar as members of the Development Council established by the Order of the Government of India in the Ministry of Commerce and Industry S.O. 955, dated the 27th

April, 1959, for the Scheduled Industries engaged in the manufacture and production of Acids and Fertilizers and directs that the following amendments shall be made in the said order, namely:—

In the said Order, under the category of members who represent the interest of "owners of industrial undertakings", after entry No. 6 relating to Dr. K. L. Ramaswamy, the following shall be inserted, namely:—

"6A. Shri S. Krishnamurti, C/O M/s. Parry & Co. Ltd, Box No. 172, New Delhi",

and under the category of "consumers", after a entry No. 11 relating to Shri C. R. Ranganathan, the following shall be inserted, namely:—

"11A. Dr. G. S. Kasbekar, Assistant Director General, Directorate General of Ordnance Factories, Calcutta."

[No. 4(3)IA(II)(G)/59.]

A. K. CHAKRAVARTI, Under Secy.

(Indian Standards Institution)

New Delhi, the 8th May 1959

S.O. 1096.—In pursuance of sub-regulation (1) of regulation 8 of the Indian Standard⁸ Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that one licence, particulars of which are given in the Schedule hereto annexed has been renewed.

THE SCHEDULE

Sl. No.	Licence No. and Date	Period of Validity		Name and Address of the Licensee	Article covered by the Licence	Relevant Indian Standard
		From	To			
1	CM/L-87 22-5-1958.	2-6-1959	1-6-1960	M/s. Bagdogra Plywood Factory, Bagdogra, District Darjeeling, (West Bengal).	Tea-Chest Plywood Panels.	IS 10-1953 Specification for Plywood Tea-Chests (Revised).

[No. MDC/12(213)-L.]

C. N. MODAWAL,
Deputy Director (Marks).

MINISTRY OF STEEL, MINES & FUEL

(Department of Iron and Steel)

New Delhi, the 11th May 1959

S.O. 1097—/ESS. COMM/IRON & STEEL-15(1) and 27(1)-AM(2).—The following notification issued by the Iron and Steel Controller under Sub-clause (1) of Clause 27 of the Iron and Steel (Control) Order 1956, is hereby published for general information.

"NOTIFICATION"

In exercise of the powers conferred by Sub-Clause (1) of Clause 27 of the Iron and Steel (Control) Order, 1956, and with the approval of the Union Government, the Iron and Steel Controller is pleased to notify the following revised prices of Ingot Mould Scrap in supersession of those appearing under Part III Melting scrap of Schedule V of Notification No. AP/31/GN/1-P/3217 dated 18-10-1958 published as S.O. 2249-ESS. COMM/IRON & STEEL-15(1) and 27(1) in Part II Section 3(ii) of the Gazette of India dated 1-11-1958.

Delete item No. 7—Ingot Moulds Scrap—Broken

Item No. 8—Ingot Moulds Scrap (Un-broken)

	Col. I.	Col. II.	Col. III.
	Rs.	Rs.	Rs.
	155	170	190
For	152.55	167.31	187.00
	140	155	175
Read	139.79	152.55	172.23
Item No. 9—Ingot Moulds Scrap—Semi-broken (1 ton and under)	165	180	200
For	162.39	177.16	196.84
	150	165	185
Read	147.63	162.39	182.08
Item No. 10—Ingot Moulds Scrap—broken (1 cwt and under)	..	210	..
		206.68	

A. S. BAM,
Iron and Steel Controller.

N.B. :—Figures shown above the line indicate prices per long ton and figures shown below the line indicate prices per Metric Ton."

[No. SC(A)-2(16)/59.]

J. S. BAIJAL, Under Secy.

(Department of Mines & Fuel)

ORDER

New Delhi, the 6th May 1959

S.O. 1098.—In exercise of the powers conferred by section 5 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby directs that the powers conferred on it by section 3 of the said Act to make orders under clauses (c), (c), (f), (h) and (j) of sub-section (2) of that section shall, in relation to Kerosene Oil, be exercisable also by the State Government of Andhra Pradesh and with the previous consent of that Government by an officer subordinate to it and not below the rank of District Collector.

[No. 104(22)/59-PPD.]

S. K. MUKHERJEE, Dy. Secy.

MINISTRY OF FOOD AND AGRICULTURE

(Deptt. of Agriculture)

(Indian Council of Agricultural Research)

New Delhi, the 22nd April 1959

S.O. 1099.—In pursuance of the provisions of Sub-section (t) of Section 4 of the Indian Oilseeds Committee Act, 1946 (9 of 1946), the Central Government hereby re-nominate the Joint Secretary to the Government of India, Ministry of Finance (accredited to the Department of Agriculture), as a member of the Indian Central Oilseeds Committee with effect from the 1st April, 1959, for a period of three years.

[No. 8-4/59-Com.III/II.]

New Delhi-2, the 28th April 1959

S.O. 1100.—In pursuance of the provisions of clause (f) of Section 4 of the Indian Coconut Committee Act, 1944 (10 of 1944) the Government of India have been pleased to appoint Shri A. C. Bose, Joint Secretary to the Government of India, Ministry of Finance as a member of the Indian Central Coconut Committee for a period of 3 years with effect from 1st April, 1959.

[No. 8-1/59-Com. I.]

S.O. 1101.—In pursuance of the provisions of sub-sections (e) and (f) of section 4 of the Indian Oilseeds Committee Act, 1946 (9 of 1946), the Central Government hereby appoint the following persons as members of the Indian Central Oilseeds Committee for a triennium beginning from the 1st April, 1959, on their being nominated by the State Government of Mysore:—

1. The Joint Director of Agriculture (Extension), Mysore State, Bangalore.—Under Section 4(e).
2. Shri G. Shivappa, Chitaldurg, Mysore State.—Under Section 4(f).

[No. 8-3/59-Com. III/II.]

AJUDHIA PRASADA, Under Secy.

MINISTRY OF TRANSPORT AND COMMUNICATIONS

(Department of Transport)

(Transport Wing)

LIGHTHOUSES & LIGHTSHIPS

New Delhi, the 12th May 1959

S.O. 1102.—In exercise of the powers conferred by sub-section (1) of section 10 of the Indian Lighthouse Act, 1927 (17 of 1927), and in supersession of the notification of the Government of India in the late Ministry of Transport S.R.O. 1291 dated the 9th June, 1955, the Central Government hereby prescribes that at all ports in India light-dues shall be payable at the rates specified below, namely:—

- (a) All ships, other than sailing ships, arriving at or departing from any port in India, at the rate of thirty-seven naye paise per ton; and
- (b) Sailing ships at the rate of six naye paise per ton.

[No. 28-ML(25)/58.]

S. K. GHOSH, Dy. Secy.

(Dep'ts. of Commns. & Civil Aviation)

ORDER

New Delhi, the 6th May 1959

S.O. 1103.—In pursuance of rule 160 of the Indian Aircraft Rules, 1937, the Central Government hereby exempts for a period of one year from the date of publication of this order, all applicants for Private Pilot's Licence ("A" Licence) from the operation of paragraph 5 in Section G of Schedule II to the Indian Aircraft Rules, 1937, in so far as that paragraph requires these applicants to carry out the flying tests within a maximum period of 2 months, subject to the condition that the flying tests prescribed shall be carried out within a maximum period of 4 months instead.

[No. AR/1937(52) F. No. 10-A/26-59.]

D. R. KOHLI, Under Secy.

MINISTRY OF WORKS, HOUSING AND SUPPLY

New Delhi, the 7th May 1959

S. O. 1104.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1958 (32 of 1958) and in continuation of this Ministry's Notification No. S.O. 307, dated the 28th January, 1959 published in the Gazette of India [Part II Section-3, Sub-section (ii)] dated the 7th February, 1959, the Central Government hereby appoints the officers mentioned in column 1 of the table below, being gazetted officers of Government, to be estate officers for the purposes of the said Act who shall exercise the powers conferred, and perform the duties imposed, on estate officers by or under the said Act within the local limits of their respective jurisdiction in respect of the public premises specified in the corresponding entries in column 2 of the table.

THE TABLE

Designation of Officers	Categories of public premises and local limits of jurisdiction.
(1)	(2)
1. Judicial Officer, North East Frontier Agency, Assam.	Premises in Assam, including N.E.F.A. which are under the N. E. F. A. Administration.
2. Curator, Industrial Section, Indian Museum, 1-Sudder Street, Calcutta.	Premises under the administrative control of Botanical Survey of India situated within the local limits of their respective jurisdiction.
3. Regional Botanist, Botanical Survey of India, Dehra Dun, Coimbatore, Shillong and Poona.	
4. Director, Central Botanical Laboratory, Botanical Survey of India, Allahabad.	
5. Drawing Officer, National Atlas Organisation, 113, Rajpur Road, Dehra Dun.	Premises under the administrative control of the National Atlas Organisation situated within the local limits of his jurisdiction.
6. Collectors of Central Excise, Madras and Allahabad.	Premises under the administrative control of the Central Excise and Land Customs Department situated within the local limits of their respective jurisdiction.
7. Commissioner of Income Tax, Patna.	Premises under the administrative control of the Income Tax Department situated within the local limits of his jurisdiction.
8. Superintendents, Department of Archaeology, Agra, New Delhi, Patna, Calcutta, Visakapatnam, Madras, Aurangabad, Baroda and Bhopal.	Premises under the administrative control of the Department of Archaeology situated within the local limits of their respective jurisdiction.
9. Chief Jute Development Officer, Govt. of India, Calcutta.	Central Nucleus Seed Multiplication Farm, Pannagarh, West Bengal.
10. Commanders, Madras, Mysore, Kerala, Delhi, Rajasthan Area, 20 Inf. Divn., 62, Bdc Area and XV—Corps.	Premises under the administrative control of the Ministry of Defence situated within the local limits of their respective jurisdiction.
11. Commanders, Madras Base, Pannagarh Base and Assam Base.	Do.
12. Commanders, Mysore Sub-Area, Bombay Sub-Area, Poona Sub-Area, Madhya Pradesh (Indep.) Sub-Area, Meerut Sub-Area, Lucknow Sub-Area, and Himachal Pradesh (Indep.) Sub-Area.	Do.
13. Adm. Commandants, Secunderabad, Calcutta and Jalapahar.	Do.

1	2
14. (a) Superintendent, High Explosives Factory, Kirkee. (b) Assistant Works Manager (Administration) High Explosives Factory, Kirkee.	Premises under the administrative control of the Ministry of Defence situated within the local limits of their respective jurisdiction.
15. (a) Superintendents, Ordnance Factory, Khamaria, Katni, Kanpur, Ambarnath, Muradnagar, Dehra Dun and Bhusawal. (b) Works Managers/Assistant Works Managers (Administration), Ordnance Factories, Khamaria, Katni, Kanpur, Ambarnath, Muradnagar, Dehra Dun and Bhusawal.	
16. (a) Superintendent, Metal Steel Factory, Ishapore. (b) Works Manager (Admn.), Metal & Steel Factory, Ishapore.	Do.
17. (a) Superintendent, Harness & Saddlery Factory, Kanpur. (b) Assistant Works Manager (Administration), Harness & Saddlery Factory, Kanpur.	
18. (a) Superintendent, Gun Carriage Factory, Jabbalpur. (b) Assistant Works Manager (Admn.), Gun Carriage Factory, Jabbalpur.	Do.
19. (a) Superintendent, Ammunition Factory, Kirkee. (b) Works Manager (Admn.), Ammunition Factory, Kirkee.	
20. (a) Superintendent, Cordite Factory, Aruvankadu. (b) Assistant Works Manager (Administration), Cordite Factory, Aruvankadu.	Do.
21. (a) Superintendent, Rifle Factory, Ishapore. (b) Assistant Works Manager (Admn.), Rifle Factory, Ishapore.	
22. (a) Superintendent, Gun & Shell Factory, Cossipore. (b) Assistant Works Manager (Admn.), Gun & Shell Factory, Cossipore.	Do.
23. (a) Superintendent, Clothing Factory, Shahjahanpur. (b) Assistant Works Manager (Admn.), Clothing Factory, Shahjahanpur.	
24. (a) Officer-in-charge, Ordnance Parachute Factory, Kanpur (b) Assistant Works Manager (Admn.), Ordnance Parachute Factory, Kanpur.	Do.

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|--|---|
| 25. (a) Superintendent, Small Arms Factory, Kanpur. | } Premises under the administrative control of the Ministry of Defence situated within the local limits of their respective jurisdiction. |
| (b) Assistant Works Manager (Admn.), Small Arms Factory, Kanpur. | |
| 26. (a) Superintendent, Machine Tool Prototype Factory, Ambarnath. | } Do. |
| (b) Assistant Works Manager (Admn.), Machine Tool Prototype Factory, Ambarnath. | |
| 27. Military Estates Officers, Agra, Calcutta, Lucknow, Meerut, Delhi, Badami Bagh, Mhow, Jullundur, Jabalpur, Madras, Poona and Secunderabad. | Do. |
| 28. Station Commanders of all Cantonments and Military Stations. | Do. |
| 29. Commanding Officers, Valsura, Shivaji, Hamla and India. | Do. |
| 30. Commodore-in-Charge, Cochin. | Do. |
| 31. Commodore, East Coast | Do. |
| 32. Resident Naval Officer, Madras and Calcutta. | Do. |
| 33. The Chief Hydrographer. | Do. |
| 34. The Flag Officer, Bombay | Do. |
| 35. Captain, Naval Barracks, Bombay | Do. |
| 36. Deputy Directors, Military Lands and Cantonments, Commands. | Do. |
| 37. Joint Estate Officer, New Delhi. | Premises in the Sarojini Market, New Delhi; Raisina Road Market, New Delhi; New Central Market, New Delhi; Pleasure Garden Market, Delhi & Kamla Market, Delhi. |
| 38. Shri L. B. Thanga, I.F.A.S., Additional Deputy Commissioner, Kohima. | Premises in Naga Hills, Tuensang Area. |
| 39. Shri S. Raha, Magistrate, Andamans & Nicobar Islands, Port Blair. | Premises in the Andaman and Nicobar Islands. |

[No. 14/2/59-Acc]

B. D. KUMAR, Dy. Secy.

MINISTRY OF REHABILITATION

(Office of the Chief Settlement Commissioner)

New Delhi, the 2nd May 1959

S.O. 1105.—In exercise of the powers conferred by sub-section (1) and (2) of Section 31 of the Displaced Person (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby—

- (a) Constitutes a Board to advise the Central Government on matters of policy arising out of the administration of the said Act; and
- (b) appoints the following persons to be the Chairman and other members of the said Board, namely:—

Chairman.

Shri Chandu Lal Parikh.

Members.

Giani Gurmukh Singh Musafir, M. P.
 Shri Jaspat Roy Kapur, M. P.
 Shri Jag Parvesh Chandra.
 Shri Pratap Daldas.

[No. F. 22(1) Comp-II/58-Policy-I]

I. N CHIB,

Dy. Chief Settlement Commissioner
 and Dy Secy.

New Delhi, the 6th May 1959

- S.O 1106**—In exercise of the powers conferred on me by sub-section (2) of Section 34 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954), I hereby delegate with immediate effect, to the marginally noted officers, the following powers of the Chief Settlement Commissioner:—
1. Shri Gajender Singh, D.C.S.C.
 2. Shri T C Aggarwal, D.C.S.C
 3. Shri Y L Taneja, S.C.
 4. Shri M. S Chaddah, S.C.
 5. Shri T. C Gupta, S.C
 6. Shri P. N. Bhanot, S.C.
 7. Shri C P. Sapra, S.C
 8. Shri M L Vijn, S.C
 9. Shri G B Lalwani, S.C.
 10. Shri H C. Hans, A.S.C.

1. Power to hear appeals under Section 23 of the said Act.

2. Power to hear revisions under Section 24 of the said Act

[No 11-A(5)/58/CSC/AI/III]

S.O 1107—In exercise of the powers conferred on me by sub-section (2) of Section 10 of the Displaced Persons (Claims) Supplementary Act, 1954 (XII of 1954) read with rule 99 of the rules framed under Section 40 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954) I delegate to Sarvashri Mehar Singh Chaddah and Y L Taneja, Settlement Commissioners, with immediate effect, the following powers of the Chief Settlement Commissioner:—

1. Power to allocate Rehabilitation Grant Applications to the Settlement Officer by general or special order under sub-section (1) of Section 4 of the said Act.
2. Power to require a Settlement Officer to appoint one or more persons to advise him in any proceeding pending before him, under sub-section (2) of Section 6 of the said Act.
3. Power to transfer any Rehabilitation Grant Application pending before a Settlement Officer to another Settlement Officer under Section 7 of the said Act
4. Power to call for the record of any case decided by the Settlement Officer and pass order in the case under proviso to sub-section (3) of Section 4 of the said Act

[No 11-A(5)/58/CSC/AI/IV]

S.O 1108.—In exercise of the powers conferred on me by sub section (2) of Section 10 of the Displaced Persons (Claims) Supplementary Act, 1954 (XII of 1954), I have delegated to Sarvashri Mehar Singh Chaddah and Y L Taneja, Settlement Commissioners with immediate effect, the following powers of the Chief Settlement Commissioner:—

1. Power to transfer cases to Settlement Officers by general or special order under sub-section (1) of Section 4 of the said Act.
2. Power to require a Settlement Officer to appoint one or more persons to advise him in any proceeding pending before him, under sub-section (2) of Section 6 of the said Act
3. Power to transfer any case pending before a Settlement Officer to another Settlement Officer under Section 7 of the said Act

[No 11-A(5)/58/CSC/AI/V]

I N CHIB,

Chief Settlement Commissioner

- S.O. 1109.**—In exercise of the powers conferred on me by sub-section (3) of Section 55 of the Administration of Evacuee Property Act (31 of 1950), I, I. N. Chib, hereby delegate with immediate effect, all powers vested in me under the said Act to the marginally noted officers.
1. Shri R. L. Aggarwal, Appellate Officer-cum-D.C.G. of E.P.
 2. Shri H. C. Asthana, Custodian, U.P.
 3. Shri M. M. Gupta, Addl. Custodian, U.P.

[No. 11-A(5)/58/CSC/AI/VI.]

I. N. CHIB,

Custodian General of Evacuee Property.

(Office of the Chief Settlement Commissioner)

New Delhi, the 6th May 1959

S.O. 1110.—In exercise of the powers conferred by sub-section (1) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri I. N. Chib, as Chief Settlement Commissioner for the purpose of performing the functions assigned to such Commissioner by or under the said Act, with effect from the date he took charge of his office.

[No. 11-A/5/58-CSC(A/I).]

S.O. 1111.—In exercise of the powers conferred by Section 5 of the Administrative of Evacuee Property Act, 1950 (31 of 1950), the Central Government hereby appoints Shri I. N. Chib as Custodian General of Evacuee Property, with effect from the date he took charge of his office.

[No. 11-A/5/58-CSC(A/I)/II.]

S.O. 1112.—In exercise of the powers conferred by sub-section (1) of Section 3 of the Displaced Persons (Claims) Supplementary Act, 1954 (No. 12 of 1954), the Central Government hereby appoints Shri I. N. Chib as Chief Settlement Commissioner for the purpose of performing the functions assigned to such Commissioner by or under the said Act, with effect from the date he took charge of his office.

[No. 11-A/5/58-CSC(A/I)/I.]

RAJA LAL GUPTA, Under Secy.

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 5th May 1959

S.O. 1113.—Whereas the industrial dispute between the employers in relation to the Bank of Mysore Ltd., Bombay and their workmen was referred for adjudication to the Industrial Tribunal, Nagpur, with Shri P. D. Vyas as the presiding officer, by the order of the Government of India in the Ministry of Labour and Employment No. S.O. 2126, dated the 7th October, 1958;

And whereas the services of Shri P. D. Vyas have ceased to be available;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri F. Jeejeebhoy, shall be the Presiding Officer, with headquarters at Bombay, and refers to that Industrial Tribunal the said dispute for adjudication.

[No. LR.II.10(103)/58.]

New Delhi, the 8th May 1958

S.O. 1114.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the Mudidih Colliery, and their workmen.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,
DHANBAD.**

REFERENCE No. 65 OF 1958.

PARTIES:

Employers in relation to the Mudidih colliery

AND

Their workmen.

Dhanbad, dated the 25th April 1959.

PRESENT:

Shri Salim M. Merchant, B.A.L.L.B., *Chairman.*

APPEARANCES:

Shri S. S. Mukherjea, Advocate, instructed by Shri P. K. Mitter, Chief Personnel Officer, and Shri J. L. Sinha, Group Personnel Officer—for the employers.

Shri Lalit Burman, General Secretary, Bihar Koyla Mazdoor Sabha—for the workmen.

Industry: Coal

State: Bihar.

AWARD.

The Government of India, Ministry of Labour and Employment, by its Order No. L.R. II-2(152)/58 dated 14th November, 1959, made in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (XIV of 47), was pleased to refer to me for adjudication the industrial dispute between the parties above named in respect of the matters specified in the following schedule to the said order:—

SCHEDULE.

"Whether the categorisation of Shri Bachan Prasad by the management as Mining Sirdar, Class II, and his dismissal with effect from the 17th September, 1957, were justified and if not, to what relief he is entitled."

2. After the usual notices were issued on the parties, the General Secretary, Bihar Koyla Mazdoor Sabha, (hereinafter referred to as the Union) which is admittedly a registered trade union, filed its written statement of claim on 14th December, 1958, to which the company filed its written statement in reply on 9th January, 1959, after which the dispute was finally heard on 10th March, 1959.

3. Before dealing with the dispute on its merits, it is necessary first to dispose of a preliminary legal objection urged against this reference by the company. The company contends that the reference arises out of an individual dispute and as such is outside the scope of the Industrial Disputes Act; that it has been informed and believed that the Koyla Mazdoor Sabha is not an union of the workmen of the Mudidih colliery and/or does not represent a substantial number of them; that the present dispute was not raised by the workmen of the Mudidih colliery and therefore the reference is bad in law and is not legally maintainable.

4. Now, it is admitted that this industrial dispute was raised by the Bihar Koyla Mazdoor Sabha, which is a registered trade union and that it was this union which took this case to conciliation by its letters dated 26/28 August 1957 and 21st September, 1957, and got it referred by Government for adjudication. The Government Order of Reference describes this dispute as one between the Employers in relation to this Colliery and its workmen and in the Government Order of reference sent to this Tribunal it is stated that copies thereof are sent among others to the General Secretary, Bihar Koyla Mazdoor Sabha, c/o Indian Mine Workers Federation, Dhanbad, and it is this union which has filed the statement of claim on behalf of the workmen in this reference. It is not denied by the management that this is a registered union. It was not seriously disputed at the hearing that no workman of this colliery are members of this union, but the company's contention is that it does not represent a substantial number of them. Shri Mukherjea, the learned advocate for the employers has relied upon the decision of the Hon'ble Supreme Court in the case of the C. P. Transport Ltd. Vs. R. G. Patwardhan (1957-1-L.L.J.p. 27 at p. 30). In that case the Hon'ble

Supreme Court has held, approving the preponderance of earlier judicial opinion that under the Industrial Disputes Act, a dispute between an employer and a single employee cannot *per se* be an industrial dispute, but it may become one if it is taken up by the union or a number of workmen. Their Lordships observed:—

“Notwithstanding that the language of S. 2(k) is wide enough to cover a dispute between an employer and a single employee, the scheme of the Industrial Disputes Act does appear to contemplate that the machinery provided therein should be set in motion, to settle only disputes which involve the rights of workmen as a class and that a dispute touching the individual rights of a workman was not intended to be the object of an adjudication under the Act, when the same has not been taken up by the union or a number of workmen.”

As here the dispute has admittedly been taken up by a registered trade union with the Conciliation Officer and this union got the dispute referred to Government and the Government have in their order of reference described this dispute as a collective dispute between this company and its workmen, I think the test laid down by the Hon'ble Supreme Court is satisfied. Besides, the company has not stated to which other union the workmen owe allegiance. It must be remembered that the Industrial Dispute Act, does not contain provisions for a representative union for an industry, as is contained for instance in the Bombay Industrial Relations Act. In my opinion, considering that this is a registered union and that it is not seriously denied that a certain number of the workmen of this colliery are its members, together with the fact that it was this union which took up the dispute to conciliation and got it referred to adjudication and the Government order of reference has described this as a collective dispute between the company and its workmen, and there is no other union which claims to represent the workmen of this colliery, is sufficient to establish that this is not an individual dispute but an industrial dispute, which though it concerns the rights of an individual workman has been taken up by the workmen of this colliery, as represented by this union which is a registered trade union and has its membership among the workmen of this colliery. I therefore hold that what has been referred for adjudication is an industrial dispute and not an individual dispute and that therefore the order of reference is valid and I have jurisdiction to entertain the same.

5. I shall first deal with the question of Bachan Prasad's categorisation. According to the union till the date of his dismissal on 17th September 1957 Bachan Prasad had put in 19 years' service with the company but the company in its written statement has stated that he joined service in this colliery only in April 1942, as an Attendance Clerk. Thus according to the company he had put in about 15½ years' completed continuous service with this company and not 19 years as claimed by this union. It is, however, admitted that he obtained the Mining Sirdar's certificate in 1947 and passed the gas testing examination before 1950 and his certificate was thereupon endorsed accordingly. He also obtained the ambulance certificate in about 1950. It is admitted that in about January 1951 Bachan Prasad was appointed as “Stowing Supervisor” and that he has been working as such till he was dismissed from service on 17th September 1957, except for a brief period from 17th August 1953 till August 1954, when he was appointed to the Lamp Cabin. According to the company he was appointed to the Lamp Cabin as a Lamp Cabin Clerk whilst Bachan Prasad has stated in his evidence that he was transferred to the Lamp Cabin as in-charge, and his story appears to be correct as the order of his transfer to the Lamp Cabin it is so stated. (Exhibit W-A). It is, however, admitted that on 17th October 1955, he was issued an authorisation slip to work as an Overman (Exhibit W-B). The company's case is that he worked as an Overman in a temporary leave vacancy only upto 1st November 1955 and this is not denied by the union. Thereafter except for a period when he was by the company's order dated 23rd March 1957, appointed to 2 Pit and 6 Pit (10 and 12 seams), to look after the pumping work that was in progress there (Exhibit W-C), he has always worked as Stowing Supervisor. The union's case is that since that authorisation slip as an overman was issued to him on 17th October 1955 he has always done the duties of an overman as defined by Majumdar Award he is therefore entitled to the designation and pay prescribed for an overman by the Majumdar Award as modified by the decision of the Labour Appellate Tribunal with retrospective effect from 26th May 1956, the date on which the Majumdar Award came into force. The company however has classified him as a Mining Sirdar class II and pays him the wages prescribed for that category under the Majumdar Award

and the decision of the Labour Appellate Tribunal and its contention is that that categorisation is correct.

3 Now, before the Majumdar Tribunal the parties before it had filed an agreed statement with regard to Overmen, Mining Sirdars and Shot-firers and that statement is Appendix XVII in Vol II of the Award. The statement records that the designations and classifications stated in appendix XVII had been approved by the representatives of the employers and the workmen. In appendix XVII overman are described as follows—

“Overmen are persons in charge of a section or sections of a mine in one relay. They should hold a Mining Sirdar's certificate and in the case of gassy mines, the certificate must be endorsed for gas testing. They should preferably hold an ambulance certificate”.

Mining Sirdars under Appendix XVII were put in four classes and a Mining Sirdar class II is described as follows—

“Mining Sirdar Class II must hold a Sirdar's certificate for gas testing in a non-gassy mine he need not hold a certificate for gas testing but in that case he must be capable of taking charge of a de-pillaring section and must hold an ambulance certificate. Men working as shot-firers in gassy mines, should be graded as Mining Sirdars Class II.”

The Majumdar Award was published by Government on 26th May 1956 and came into force from that date. For overman the Majumdar Award prescribed the scale of pay of Rs 50—3—71—4—95—5—100 and for Mining Sirdars Class II the scale of pay of Rs 40—1—55. From the Majumdar Award the workmen filed appeals to the Labour Appellate Tribunal which by its decision dated 29th January 1957 revised and raised the pay scale of overman to Rs 75—5—105—6—111 and that of Mining Sirdars Class II to Rs 52—3—73. The Labour Appellate Tribunal further directed that its decision should take effect from 26th May 1956, the date on which the Majumdar Award had come into force.

7. Now, it is admitted that in implementing the Majumdar Award the company raised the basic salary of Bachan Prasad to Rs 54/- per month and after the Labour Appellate Tribunal's decision his basic pay was raised to Rs 58/- per month and that he was paid at this latter rate of pay for the first time after the company had implemented the L.A.T.'s decision in June or July 1957. The company's case is that it had fixed Bachan Prasad's basic salary as stated above by classifying him as Mining Sirdar Class II.

8. It is further admitted that when the Majumdar Award was implemented by the company Bachan Prasad was designated as Mining Sirdar (Stowing) and that it was only on 25th March 1957, after the Labour Appellate Tribunal's decision was published that he was for the first time given an authorisation as Mining Sirdar Class II, but otherwise his designation continued to be Mining Sirdar (Stowing) or Supervisor Stowing.

9 Now, according to the union, in December 1954 Bachan Prasad was entrusted the work of stowing in charge at No. 7 and 5 pit of this colliery and that whilst he was working in that capacity, he was given the overman's authorisation slip on 17th October 1955 and that on 25th March 1957, the management wrongly altered his designation to that of Mining Sirdar Class II, though he continued to perform the job and responsibilities as in the past. It has urged that Bachan Prasad's basic pay was wrongly fixed at Rs 58/- per month after the Labour Appellate Tribunal's decision and it claims that he was entitled to be paid in the overman's scale of pay of Rs 75—5—105—6—111 and that he had protested and claimed that his original designation of overman should be restored; that the management was not prepared to reconsider its decision and when he insisted they issued 3 successive charge-sheets against him on 1st August 1957, 3rd August 1957 and 14th August 1957 with the obvious intention of justifying their wrong action in placing Bachan Prasad in a lower category than he deserved. That thereupon the workman applied to the Regional Inspector of Mines on 27th August 1957 complaining of harassment and inviting his intervention and enquiry. That whilst the enquiry on the 3 charge sheets was continuing, the Bihar Koyla Mazdoor Sabha on 28th August 1957 made a complaint to the Regional Labour Commissioner (Central), Dhanbad complaining of his wrongful categorisation and that when the conciliation proceedings were pending regarding his categorisation, he was wrongfully dismissed from service on 19th September 1957.

10. Now, it is admitted that there is no designation of either Mining Sirdar (Stowing) or Supervisor Stowing prescribed by the Majumdar Award and it is nobody's case that Bachan Prasad had been doing the work of a Mining Sirdar. The Union, however, claims that as Supervisor Stowing, Bachan Prasad fulfilled all the qualifications prescribed for an overman by Appendix XVII of the Majumdar Award inasmuch as Stowing Supervisor he was in charge of a section or sections in a mine in one relay. In that connection Shri Lalit Burman has relied upon the evidence of the Manager of the colliery, Shri B. B. Das, at the enquiry on the 2nd charge against Bachan Prasad in which he (the Manager) had stated that Bachan Prasad was sole in charge of the stowing operations in Nos. 13 and 14 seams in 3 pit (see company's annexure to its written statement to charge sheet No. 164/47). It is also urged by him that Bachan Prasad was in charge of the total pumping operations in No. 3 pit of 10 and 12 seams when he was appointed to that duty (see Exhibit W-C) and that similarly he was in charge of the Lamp Cabin when he was appointed to it. He has further argued that Bachan Prasad also fulfilled the other qualifications of an overman, inasmuch as he held a Mining Sirdar's certificate endorsed for gas testing and also an ambulance certificate. He has argued that a stowing Supervisor was doing more responsible work than even a Mining Sirdar Class I and that he should therefore be given an overman's categorisation and be paid wages fixed for an overman by the Majumdar Award as modified by the Labour Appellate Tribunal in the grade of Rs. 75—5—105—6—111 retrospectively from 26th May 1956.

11. Shri Mukherjee the learned Advocate for the company on the other hand, has argued that other Mining Sirdars used to supervise stowing operations in addition to their duties as Mining Sirdars before Bachan Prasad was put to work as a Stowing Supervisor in one of the pits of the colliery in 1951 and worked as such till August 1953 and that during his transfer to the lamp section other Mining Sirdars used to supervise the stowing work and this statement in the company's written statement has gone unchallenged. The company has further urged that Bachan Prasad had never raised any dispute claiming the overman's grade of pay till after the charge sheets of 1st August 1957, 3rd August 1957 and 14th August 1957 were served upon him charging him with negligence of duty and Shri Mukherjee has argued that the complaint to the Regional Inspector of Mines on 27th August 1958 and to the Regional Labour Commissioner on 28th August 1957 were made by him only with a view to create a prejudice against the management.

12. After an anxious consideration of the facts and circumstances of the case, the submissions of the parties and the documents on record, I am inclined to the opinion that considering the duties performed by Bachan Prasad as Stowing Supervisor, his claim to the category of an overman, under the Majumdar Award, a modified by the Labour Appellate Tribunal's decision is justified. Under the Majumdar Award, as I have shown above, an overman is a person who is in charge of a section or sections of a mine in one relay and who holds a Mining Sirdar's certificate and in a gassy mine the certificate must be endorsed for gas testing and he should preferably hold an ambulance certificate. Now, it is clear from what is stated earlier that as Stowing Supervisor, Bachan Prasad was in charge of a section or sections of the mine when stowing work was being carried on. In fact, at the enquiry under the charge-sheets served upon him it was the company's case that he was responsible for the proper stowing work not only in one relay, but in all the three relays or shifts. In fact, under the Majumdar Award it is an overman-in-charge, a higher category than an overman, who is responsible for work in all the three shifts. Bachan Prasad, also fulfilled the other qualifications of an overman as prescribed by Appendix XVII of the Majumdar Award as he held a Mining Sirdar's certificate for gas-testing and also held an ambulance certificate. In fact, he was issued an overman's authorisation which never appears to have been withdrawn. When working in the lamp cabin Bachan Prasad was not appointed as a lamp clerk, as contended by the company but as in charge of the lamp section and so also when he was appointed to the pumping work, he was in charge of it. Normally a Mining Sirdar works under an overman, and if really Bachan Prasad was only doing the work of Mining Sirdar Class II there should have been some overman exercising supervision over his work, but that evidently was not so as the company was not able to show who was the overman exercising supervision over Bachan Prasad's work. Indeed, the company could not show this as its case was that Bachan Prasad as Stowing Supervisor was responsible for the work of workmen including Fitters, not only in one shift but in all the shifts. I am inclined to the view that Bachan Prasad, being an old and experienced Mining Sirdar and having all the qualifications of an Overman, was asked to perform duties covered by that category, but was wrongly categorised for the purposes of his pay as a Mining Sirdar Class II.

13. The company has laid great stress on the fact that Bachan Prasad made the demand for being categorised as an Overman only on 28th August 1958, after the 3 charge sheets were served upon him in that month. That no doubt is true. But the fact that this dispute was raised belatedly would not by itself establish that his categorisation as Mining Sirdar Class II was correct. The categorisation must be made on the basis of the duties performed and as I am satisfied that the duties performed by Bachan Prasad were those of an Overman it would not be fair to deprive him of the benefit of the emoluments fixed for that category. In this connection, it is also important to note that the authorisation as Mining Sirdar Class II was issued by the company to him only on 25th March 1957 after the decision of the Labour Appellate Tribunal was pronounced on 29th January 1957 and that that decision came to be implemented by the collieries only in about June or July 1957, after the appeals filed by the Employer companies before the Hon'ble Supreme Court from the decision of the Labour Appellate Tribunal were agreed to be withdrawn as a result of a Tripartite Conference called by the Government at which the collieries were given a further increase in the selling price of coal. In these circumstances, I do not think that the fact that the dispute was raised as late as in August 1957, should militate against the workmen, particularly when it is established from the nature of his duties that he was entitled to the overman's grade.

14. For these reasons, on issue No. 1 under reference, I hold that the categorisation of Bachan Prasad as Mining Sirdar category II was not justified and that his claim to the category of an Overman is justified.

15. The next question to consider is what relief Bachan Prasad is entitled to on this issue. As it is not established that he had made any claim to be categorised as Overman before 28th August 1957, I am not satisfied that the Union's claim that he should be granted the benefit of this categorisation from 26th May 1956, the date on which the Majumdar Award came in operation is justified. As his dismissal took effect from 17th September 1958, and as I am not ordering his reinstatement, I think the only relief that can be granted to him on this issue is to grant him the wages which he would have been entitled to as Overman from 28th August 1957 to 17th September 1957, i.e., a period of 20 days. He shall, therefore, on issue No. 1 be paid the difference between the salary and the dearness allowance to which he would have been entitled as Overman under the Majumdar Award as modified by the decision of the Labour Appellate Tribunal, and what he was actually paid for the period of 20 days from 28th August 1957 to 17th September 1957. I further direct that the amount so found due should be paid to him within one month of the date this award becomes enforceable.

16. Now, on the second part of the reference, the Union's contention is that he was illegally dismissed as rules of natural justice were not observed at the enquiry and the finding of guilt on the charges levelled against him had not been proved and that the finding was perverse, the management having made up its mind to get rid of him from service and that therefore he was entitled to be reinstated in service with all back wages. The company dismissed Bachan Prasad from service by its order dated 17th September 1957 on the ground that he had been found guilty of the misconducts with which he was charged on each of the three charge sheets served upon him. I give below the particulars of each of the three charge sheets along with Bachan Prasad's explanation thereon:—

Charge Sheet No.	Date	Misconduct Alleged	Bachan Prasad's explanation
162/57	1-8-1957	Under Standing Order 27—(6) and (9) for neglect of work in not bringing out 6 corrugated iron sheets while stowing at 2 pit on 28-7-1957, and allowing them to be buried under the sand, thus causing loss to the company's property. Under standing order 27(1) with wilful insubordination of the Asst. Manager's order who asked him to get the 6 tins brought out as they were recoverable.	Explanation dated 2-8-1957 He was asked by the Asst. Manager to take out corrugated sheets if possible. Explained difficulties in presence of Shri R. R. Gope. After that was ordered to try his best. Could not take them out as stowing would have run. Prayed for charge sheet to be cancelled.

Charge-Sheet No.	Date	Misconduct Alleged	Bachan Prasad's explanation
164/57 .	3-8-1957	Negligence of duty under S.O. 27(6) & (9) resulting in breaking of barricade near narrow drift in 14 seam and about 500 tons of coal in 13 seam main-dip at No. 3 pit being covered up.	Explanation dated 4-8-1957. Barricade broke, when he was off duty at about 2 p.m. Denied that barricade broke because of his negligence.
18/57 .	17-8-1957.	Habitual negligence of work under S.O. 27(6) in that he left void near the roof in front of the stoppings of Nos. 18 and 19 in the 3 pit 13 seam on the 20th and 22nd July 1957.	Written explanation dated 14-8-57. Expressed surprise at the charge sheet and why the blame was being put on him. Tried his best to stow the place upto the cross bar, but due to pressure sand rushed out. Showed to Asstt. Manager many times and he had checked and passed. Daily checking was going on. Complained that charge sheet was served after 24 days. Pleaded innocence and prayed for charge sheet to be withdrawn.

17. The company has urged that after a proper enquiry on these charge sheets he was found guilty of all the misconducts alleged against him and was therefore rightly dismissed.

18. The union's case on the other hand is (1) that his dismissal was illegal as it was in violation of Section 33 of the Industrial Disputes Act as permission of the Regional Labour Commissioner (Central), Dhanbad was not taken, before whom conciliation proceedings were pending with regard to his dispute with regard to his proper categorisation on the date of his dismissal, (2) that the enquiry held by the management was not proper or fair and that the charges were not proved against him and the decision to dismiss him was perverse.

19. Now, with regard to the first contention of the Union, no doubt the union wrote to the Regional Labour Commissioner (Central), Dhanbad, on 28th August 1957 raising an industrial dispute with regard to his categorisation and referred it to his conciliation. But the company's case is that it was not aware on the date it dismissed Bachan Prasad i.e. on 17th September 1957 that any conciliation proceeding were pending before the Regional Labour Commissioner on that date with regard to Bachan Prasad's categorisation. According to the company the first intimation which it received from the Regional Labour Commissioner (Central) Dhanbad about the proceedings before him was only on 4th October, 1957, when the Regional Labour Commissioner's letter dated 28th September 1957 (annexure G to the company's written statement) was received by it. The Regional Labour Commissioner in his said letter had referred to an earlier letter No. D-2/5(28) dated 6th September 1957 which he stated he had addressed to the Manager of the colliery on the subject of the proper categorisation of Bachan Prasad, but the company has denied receipt of that letter. The company has in that connection relied upon the letter dated 5th October 1957 which the Manager of the colliery had addressed to the Chief Personnel Officer Sijua, forwarding to him the letter of the Regional Labour Commissioner dated 28th September 1957, in which he (the Manager) had stated that he had not received any letter before that from the Regional Labour Commissioner. Thus the company has in its written statement denied receipt of the Regional Labour Commissioner's letter of 6th September 1957 and of any knowledge of the pendency of any conciliation proceedings before the Regional Labour Commissioner on the date it dismissed Bachan Prasad from service. The union has made no attempt to establish that the management had received the Regional Labour Commissioner's letter of 6th September 1957 or that the management knew prior to the date of the dismissal order of his having raised that dispute before the Regional Labour Commissioner. Thus, it is not established that there was any breach of Section 33 by the management. This contention of the union is therefore rejected.

20. I am however of the opinion that the second contention of the union is correct and must be upheld. I am satisfied that the enquiries held on the three charge sheets were vitiated by material irregularities resulting in failure of the

rules of natural justice and that therefore the order of dismissal which it has based on those enquiries cannot be upheld. The copies of the records of the enquiries are on record an annexure to the company's written statement.

21. Now, the first enquiry on these three charge sheets was held by Shri N. Mukherjee, the Welfare Officer of the company, who submitted his report on 28th August 1957. But the curious part is that the report does not contain any finding of guilt on any of these three charges. Thereafter, it appears that Shri J. L. Sinha Group Personnel Officer of the company held further enquiries, but only on the second and third charge sheets viz. Nos. 164/57 and 178/57. The order by which Shri Sinha was asked to make these further enquiries has not been produced and therefore we do not know who passed the order for making these further enquiries. Shri Sinha however submitted two separate reports both dated 12th September 1957 of the enquiry held by him on these two charge sheets from which we find that he held further enquiries on charge sheet No. 164/57 as "certain clarifications were required," and on charge sheet No. 178/57 "because some points were not clear." But, it has not been shown as to what were the points on which clarifications was required and by whom, nor was Bachan Prasad informed as to the nature of the clarifications that were sought to be made. I shall presently deal with these second enquiries held by Shri Sinha, but it is important to note that with regard to the first charge sheet viz. 162/57 there was no further enquiry held except the one by Shri N. Mukherjee who submitted his report on 28th August 1957 without any finding as to whether Bachan Prasad was guilty or not. The operative part of the letter of dismissal which is signed by the Manager of the colliery (who was both a prosecution witness at the enquiries as also the prosecution officer in as much as he questioned Bachan Prasad and his witnesses on certain charges), after reciting each of the three charge sheets, and recording a finding of guilty thereon stated "you are therefore dismissed with effect from date (17th September 1957) for the above misconduct." Thus Bachan Prasad was dismissed because he had been found guilty of all the misconducts stated in the three charges, yet as I have shown above there was no finding of guilt by any enquiring officer on charge sheet No. 162/57, and yet the order of dismissal is passed on his having been found guilty of the misconduct stated in that charge sheet. Presumably it was the Manager who held him guilty on charge sheet No. 162/57. But it must be remembered that at the enquiry on charge sheet No. 162 the Manager of the colliery had acted as the Prosecution Officer and cross examined Bachan Prasad's witnesses. Surely, the same officer cannot play the dual role of both prosecutor and justice of guilt. Clearly therefore such an order of dismissal would be in violation on the rules of natural justice and cannot be upheld.

22. I am further of the opinion, that the second enquiry held by Shri J. L. Sinha on charge sheet No. 164/57 did not confirm to the rules of natural justice. Firstly, Bachan Prasad was not informed as to what were the further clarifications required on charge sheet No. 164/57 nor was he informed as to what the certain points were which were not clear after the first enquiry had been closed. In my opinion an enquiry which is partly held by one enquiry officer and partly by another enquiry officer does not conform to rules of natural justice. But even part from this the procedure which was followed by Shri N. Mukherjee on this charge sheet was very curious in as much as he first called upon Bachan Prasad to examine his witnesses and only thereafter were the prosecution witnesses examined. Thus he had altered the normal procedure of the prosecution leading its evidence to establish the charge. This in my opinion was a material irregularity particularly on the charge sheet No. 164/57 resulting in failure of natural justice. At the enquiry by Shri N. Mukherjee on charge sheet No. 164, Bachan Prasad was first asked to lead his defence evidence and he examined two witnesses who were not cross-examined by the prosecution. Thereafter prosecution witness No. 1 namely the Assistant Manager was examined who merely gave particulars of the approximate quantity of coal that was buried under sand consequent upon the bursting of the barricade. Thereafter, Bachan Prasad was cross-examined by the Manager and the enquiry was closed. There is not the least doubt that on the statements recorded on the first enquiry by Shri Mukherjee the misconducts alleged in that charge sheet were not established. The fact that a further enquiry was thought necessary also clearly establishes this. Thereafter, on the plea of certain further unspecified clarifications being required, a second enquiry were held by Shri Sinha. At that enquiry the manager Shri B. B. Das, who had at the first enquiry questioned Bachan Prasad, was examined as a prosecution witness and Bachan Prasad was submitted to a further cross-examination by whom is not stated, but evidently by Shri Sinha. Now, the manager was available when Shri N. Mukherjee held the first enquiry, yet he was not examined on behalf of the prosecution. In my opinion under the plea of certain unspecified clarifications being required, the management virtually held a second trial to cover up its

failures at the first enquiry. This I think was not fair to the accused and against the rules of natural justice. Besides, though by charge sheet No. 164/57 Bachan Prasad was charged with misconducts under Standing order No. 27(6) and (9), the only finding of Shri Sinha is that, "charge of negligence appears to be proved." Now, the misconduct under standing order No. 27(6) is "habitual negligence or neglect of work." Therefore before Bachan Prasad could be held to be guilty of the charge under clause 27(6) of the Standing Orders it was necessary to prove that he was guilty of habitual negligence. There is, however, no finding of his being guilty of habitual negligence in the report of Shri Sinha on charge sheet No. 164/57 because Shri Sinha says that he has found Bachan Prasad guilty of negligence only. Standing order 27(9) is, "causing damage to work in progress or to property of the company." Though he was charged with this misconduct no evidence was led on this misconduct and there is no finding of guilt on this misconduct in Shri Sinha's report. Yet in the order of dismissal it is recorded under charge sheet No. 164/58 that he was found guilty of misconducts under Standing Order 27(6) and (9). Clearly the report of Shri Sinha does not say that he was guilty of misconduct under S.O. 27(9) and as the order of dismissal was based on his having been found guilty of misconducts both under Standing Order No. 27(6) and 27(9), such a dismissal order cannot be upheld and must be set aside.

23. Now, with regard to the third charge sheet No. 178/57, that charge-sheet categorically stated that Bachan Prasad was charged under Standing Order No. 27(6) for habitual negligence of work. The charge sheet however referred to only one incident of negligence of duty namely that he had left void near the roof in front of the stoppings of Nos. 18 and 19 in the 3 pit 13 seam on 20th and 22nd July, 1957. As I have stated, Bachan Prasad in his explanation had denied the charge and his case was that he tried his best to stow the place upto the cross-bar, but due to pressure the sand rushed out; that he had shown the work to the Assistant Manager many times who checked and passed it and daily checking was going on. The first thing to notice about this charge sheet is that it was issued on 17th August, 1957 for the acts of negligence alleged to have been committed on 20th and 22nd July, 24 days after the incident. Now at the first enquiry held by Shri Mukherjee on 23rd August, 1957 one prosecution witness namely Shri A. K. Mitra, Assistant Manager, was examined and the only thing he stated was that it was not correct that Bachan Prasad had shown him the place of stowing after the place was stowed. But in cross examination, when persistently questioned by Bachan Prasad, he admitted that he had seen the place himself. Thereafter, the evidence of one defence witness Shri Kartar Singh, was recorded, who supported the explanation of Bachan Prasad. He was also cross-examined by the Manager of the colliery, Bachan Prasad was only put one question by the Manager and he admitted that the Manager had told him to top up the place properly. The enquiry was then closed and Shri Mukherjee made his report dated 28th August, 1957, without recording any finding of guilt on the charge sheet. Clearly on this evidence he could not possibly have held him guilty of the misconduct of habitual negligence with which he was charged and that is why a second enquiry was ordered.

24. Thereafter, Shri Sinha was asked to conduct a further enquiry because "certain points were not clear." As I have stated earlier, Bachan Prasad was, however, not told what those further points were but a further enquiry was held by Shri Sinha on 11th September, 1957, when 5 members of the Works Committee who had inspected the sand stowing at 13 seam 19 stoppings area on 7th August, 1958, were examined, and the manager was also examined. Now, it is not denied that all these witnesses were available at the first enquiry and it is difficult to understand why they were not examined at the first enquiry. This second trial also suffered from the same defects as the second trial on charge sheet No. 164, as all these witnesses were available at the first enquiry but were not examined then and in my opinion Bachan Prasad could not be subjected to a second trial on the same charge and the management allowed to make up for its failure at the first enquiry, on the plea that certain points were not clear. Besides, there is no provision in the standing order for such further enquiries. Advantage was also taken of the examination of the manager at the subsequent enquiry to put in through him an inspection note by the Deputy Chief Mining Engineer about the topping up. Shri Lalit Burman had taken objection to that inspection report having been taken on file without the Chief Mining Engineer himself having deposed to it and I think this objection is valid one. Surely when the Chief Mining Engineer was available he should have been examined on the report made by him. It was on the strength of this report that it was sought to be argued that the charge of habitual negligence had been established. That report by itself does not establish the charge of habitual negligence, as it speaks only of careless and unsatisfactory work about the topping not having

been done properly and this cannot establish habitual negligence. The second enquiry on the third charge sheet was also confined only to the one act of negligence that of not having done the topping work properly on 20th and 22nd July, 1957 and does not establish the charge of habitual negligence.

25. In all these circumstances, I am not satisfied that a proper enquiry was held or that rules of natural justice were followed at the enquiries. I, therefore, hold that the order of dismissal which was based on a finding of guilt on these enquiries cannot be sustained.

26. The next question to consider is what relief Shri Bachan Prasad is entitled to on this issue. I was told at the hearing that Bachan Prasad has now found employment in another colliery. Considering this fact and the fact that the employers have evidently lost confidence in his work and also the other facts and circumstances of the case, I do not think the demand for his re-instatement in service is justified. I, therefore, do not order his re-instatement, but feel that he is entitled to some other alternative relief. Considering that Bachan Prasad, on the company's own admission, had put in more than 15½ years service on the date of his dismissal, I think a fair order to make is to ask the company to pay his compensation equivalent to 8 months' wages, i.e. basic wages plus dearness allowance, on the basis of what he was entitled to as overman on the date of his dismissal and I direct accordingly. I further direct that this payment also would be made to him within a month from the date this award becomes enforceable.

27. As the workman's case has succeeded substantially I award him Rs. 100 as costs.

(Sd.) SALIM M. MERCHANT,

DHANBAD,
The 25th April, 1959

[No. LR/II/2(152)/58.]

New Delhi, the 12th May 1959

S.O. 1115.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the Kirkend Colliery and their workmen.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,
DHANBAD.**

REFERENCE No. 10 OF 1959

Employers in relation to the Kirkend Colliery
AND

Their workmen.

PRESENT:

Shri Salim M. Merchant, Chairman, Central Government Industrial Tribunal,
Dhanbad.

Dhanbad, dated the 1st May, 1959.

APPEARANCES:

Shri Lalit Burman, General Secretary, Bihar Colliery Mazdoor Sabha—for
the workmen.

Shri C. M. Deosthale, Manager, Kirkend Colliery—for the Employers.

State: Bihar.

Industry: Coal.

AWARD

The Government of India, Ministry of Labour & Employment, by its order No. LR/II/2(174)58, dated the 9th February, 1959, made in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Act 14 of 1947), was pleased to refer to me for adjudication the industrial dispute between the parties above-named in respect of the subject matters specified in the following schedule to the said Order:

SCHEDULE

- (a) Whether the dismissal of Shri Tribeni Prasad Lala, Night Guard, Kirkend Colliery of Kirkend Coal Company Ltd., P.O. Kusunda, Dhanbad District, is justified?
- (b) If not, to what relief is he entitled?

2. After the usual notices were issued to the parties Shri Lalit Burman, General Secretary, Bihar Koyla Mazdoor Sabha, filed the written statement of claim on behalf of the workmen on the 9th March 1959 and the management filed its written statement in reply on 28th March 1959 after which the dispute was fixed for hearing on 14th April 1959 and at the adjourned hearing on the 29th April 1959, parties filed the terms of settlement which had been reached between them as a result of the discussions held in court at the hearing on the 28th April 1959. A copy of the terms of settlement is annexed hereto and marked Annexure 'A'. As I am satisfied that in the facts and circumstances of the case, the terms of settlement are fair and reasonable, I make an award in terms embodied in Annexure 'A', which shall form part of this award.

No order as to costs.

(Sd.) SALIM M. MERCHANT,
Chairman,

Dated the 1st May, 1959.

ANNEXURE A

BEFORE THE CENTRAL GOVERNMENT'S INDUSTRIAL TRIBUNAL, AT
DHANBAD

In the matter of—

REFERENCE NO. 10 OF 1959

Employers in relation to Kirkend Colliery

versus

Their workmen.

Represented by the General Secretary, Bihar Koyla Mazdoor Sabha.

The humble petition on behalf of the parties above-named.

Most respectfully submit:—

1. That the dispute concerned has been settled mutually between the parties on the following:—

Terms

- (1) That the management will pay to Shri Tribeni Prasad Lala, the workman mentioned in the Schedule, the sum of Rs. 450 (Rupees Four hundred and fifty) only as full and final settlement.
- (2) That he will be treated as having been discharged from the service of the Company.
- (3) That the payment will be made to Shri Tribeni Prasad Lala on or before 10th of May 1959, in the Colliery Office, in the presence of Union representative.

It is, therefore, humbly prayed that Your Honour may be pleased to pass an award in the above terms.

Dated Dhanbad, this the 29th day of April, 1959.

For the Workman

LALIT BURMAN,

General Secretary,

Bihar Koyla Mazdoor Sabha.

For the Employers :

C. M. DEOSTHALE,

Manager, Kirkend Colliery

duly Authorised.

Taken on file.

(Sd.) SALIM M. MERCHANT,

Chairman,

Central Government Industrial Tribunal,
Dhanbad.

[No. LR11/2(174)/58.]

ORDERS

New Delhi, the 7th May 1959

S.O. 1116.—Whereas the Central Government is of the opinion that an industrial dispute exists between the employers in relation to the Bird's Saunda Colliery, P.O. Bhurkhunda and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Having regard to the duties performed by Shri B. P. Lalla, Assistant Loading Clerk, whether the management of Bird's Saunda Colliery were justified in placing him, in clerical grade III under the award of the All India Industrial Tribunal (Colliery Disputes) as modified by the decision of the Labour Appellate Tribunal. If not, to what relief is he entitled and from what date?

[No. LR II/2(22)59.]

New Delhi, the 8th May 1959

S.O. 1117.—Whereas the Central Government is of the opinion that an industrial dispute exists between the employers in relation to M/s. Hindustan Manganese Mines Ltd., P.O. Tirodi, Balaghat (M.P.) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal with Shri F. Jeejeebhoy as the Presiding Officer, with headquarters at Bombay, and refers the said dispute for adjudication to the said Industrial Tribunal.

SCHEDULE

(1) Whether the dismissal of 142 workmen mentioned in the enclosed lists 'A' and 'B' of Malhudki Manganese Mine of M/s. Hindustan Manganese Mines Ltd., Tirodi, with effect from the 17th October, 1958 was justified, and if not, to what relief these workmen are entitled?

(1i) Whether the 75 workmen mentioned in list 'A' who were originally employed in the Jamrapani Mine and later transferred to Malhudki Mine should be re-employed with continuity of service in Jamrapani Manganese Mine or any other mine in Tirodi Group of mines belonging to the management.

*List A**List of transferred labourers*

- | | |
|-------------------------|-----------------------|
| 1. Parsadi Andram | 19. Sunderlal Ganesh |
| 2. Butiya Parsadi | 20. Mclesin Sunderlal |
| 3. Ramadin Noharu | 21. Zadu Bulloo |
| 4. Keja Ramadin | 22. Sonbati Zadu |
| 5. Ramtu Asaram | 23. Devbati Mithoo |
| 6. Kanchan Namu | 24. Bisram Baldu |
| 7. Shivalal Zadu | 25. Shreeram Zadu |
| 8. Ganeshiya Shival | 26. Feri Shreeram |
| 9. Zadu Devnath | 27. Pusao Hardev |
| 10. Dcola Zadu | 28. Shukham Pusao |
| 11. Sumarit Khedu | 29. Bala Laxman |
| 12. Sumri Khedu | 30. Shukhawantin Bala |
| 13. Bihari Lagnu | 31. Birbal Sarju |
| 14. Rarhin Bisamber | 32. Punu Ramu |
| 15. Kuwar Singh Biswa | 33. Mehatar Gangaram |
| 16. Kachara Kuwar Singh | 34. Fulbai Mehatar |
| 17. Sonsai Shobha | 35. Zumari Sawant |
| 18. Jayantri Sunderlal | 36. Dhanbai Ankaloo |

- | | |
|-------------------------|--------------------------|
| 37. Charan Fulsingh | 57. Rajwanti Tilochand |
| 38. Ruhelin Charan | 58. Balihar Manglu |
| 39. Suklal Manjan | 59. Dasari Keju |
| 40. Manthir Kangloo | 60. Bhuneshwar Ramprasad |
| 41. Jamuna Manthir | 61. Gitabai Bhuneshwar |
| 42. Sumeri Darshan | 62. Brijlal Shyamlal |
| 43. Hironda Manthir | 63. Koushilya Brijlal |
| 44. Sukhama Nakul | 64. Shobhit Budhakar |
| 45. Nakul Khedu | 65. Basan Shobhit |
| 46. Dukhiram Ghasiya | 66. Amol Pilloo |
| 47. Firntin Kollya (II) | 67. Nira Amol |
| 48. Dulmin Bhandari | 68. Bhuwan Bhuari |
| 49. Baratu Bhavosa | 69. Rambai Bhuwan |
| 50. Milantin Bharosa | 70. Fagawa Barsau |
| 51. Ramesh Bodhi | 71. Loknath Birju |
| 52. Deokuwar Punarath | 72. Parniya Loknath |
| 53. Chatur Dilipsingh | 73. Gogdu Doma |
| 54. Dasoda Chatur | 74. Govindram Fedu |
| 55. Rajaram Sonu | 75. Bayatra Govindram. |
| 56. Bisahin Bhagat | |

List B

Old Workers of Malhudki Mine

- | | |
|-------------------------|------------------------|
| 1. Sukhiram Latel | 35. Rajaram Umarao |
| 2. Dashari Firtu | 36. Hagaru Bisaru |
| 3. Padum Budhoo | 37. Bahura Jai-Lal |
| 4. Mantora Bhondu | 38. Anjani Bisaroo |
| 5. Bislal Kodu | 39. Shobharam Laldas |
| 6. Pachi Firtu | 40. Tijiya Budharam |
| 7. Anandi Anjori | 41. Jagat Samaru |
| 8. Dhanwantin Makoundi | 42. Binzo Latel |
| 9. Bharosa Anadsingh | 43. Chamarin Pardeshi |
| 10. Sukhayarin Bisnath | 44. Rambha Roopai |
| 11. Sukhalal Chainsingh | 45. Duberam Nohar |
| 12. Brijlal Sukhalal | 46. Khorbahara Duberam |
| 13. Rajaram Mithoo | 47. Fuliya Sammal |
| 14. Mantora Mithoo | 48. Dukalu Gangaram |
| 15. Lachhani Rajaram | 49. Ramun Binzwar |
| 16. Hiraram Mithoo | 50. Gotrin Mehataru |
| 17. Chamarin Hiraram | 51. Kala Hiralal |
| 18. Shivilal Chainu | 52. Mayaram Umenda |
| 19. Shivprasad Chainu | 53. Bartin Bisal |
| 20. Rainbati Shivprasad | 54. Ramshila Shankar |
| 21. Dukalu Suklal | 55. Toda Bapu |
| 22. Sadaram Sukhlal | 56. Ramnath Buchan |
| 23. Gouri Mithoo | 57. Rudha Budha |
| 24. Bhoja Jhhussa | 58. Nagan Ramnath |
| 25. Paharu Bodhawa | 59. Paran Rudha |
| 26. Ramotin Paharu | 60. Paikya Nonya |
| 27. Zadu Latel | 61. Zaduram Latel |
| 28. Manbai Bishru | 62. Fulan Fedu |
| 29. Sadharam Hagru | 63. Mangari Ganpat |
| 30. Manbai Dhanaram | 64. Chaitram Budhya |
| 31. Sherkin Suddu | 65. Tularam Goma |
| 32. Sherdin Sudhu | 66. Bhuraka Chamaru |
| 33. Jirakhan Ramaoo | 67. Sarawan Tularam |
| 34. Bannin Jirakan | |

[No. LR-II/62(24)/58.]

A. P. VEERA RAGHAVAN, Under Secy.

New Delhi, the 8th May 1959

S.O. 1118.—In exercise of the powers conferred by section 8 of the Coal Mines Labour Welfare Fund Act, 1947 (32 of 1947), read with rule 3 of the Coal Mines Labour Welfare Fund Rules, 1949, the Central Government hereby appoints Mr. R. H. Wright, a person nominated by the Indian Mining Association, as a member of the Coal Mines Labour Welfare Fund Advisory Committee constituted in the Notification of the Government of India in the Ministry of Labour

and Employment No. S. R. O. 3266, dated the 8th October 1957 Vice Mr. D. Hogg resigned, and makes the following further amendment in the said notification, namely:—

For the entry "7. Mr. D. Hogg", the entry "7. Mr. R. H. Wright" shall be substituted.

[No. MII-3(3)/59.]

P. N. SHARMA, Under Secy.

New Delhi, the 8th May 1959

S.O. 1119.—In pursuance of clause (b) of sub-paragraph (1) of paragraph 3 of the Employees' Provident Funds Scheme, 1952, the Central Government hereby nominates Shri V. V. Anantakrishnan, I. A. S., Internal Financial Adviser, and *ex-officio* Deputy Secretary to the Government of India in the Ministry of Labour and Employment, to be a member of the Board of Trustees (Central Board) constituted under the said Scheme in the vacancy caused by the resignation of Shri A. K. Basu and makes the following further amendment in the notification of the Government of India in the Ministry of Labour S. R. O. 1861 dated the 31st October, 1952, namely:—

In the said notification, for the entry "4. Shri A. K. Basu, Internal Financial Adviser to the Ministries of Labour and Employment, and Law, and *Ex-officio* Deputy Secretary to the Government of India", the following entry shall be substituted, namely:—

"4. Shri V. V. Anantakrishnan, I.A.S., Internal Financial Adviser and *ex-officio* Deputy Secretary to the Government of India in the Ministry of Labour and Employment."

[No. PF-II-1(8)/58]

New Delhi, the 9th May 1959

S.O. 1120.—In pursuance of clauses (a) and (b) of sub-paragraph (1) of paragraph 4 of the Employees' Provident Funds Scheme, 1952, the Central Government hereby nominates Shri S. S. L. Kakkar, I.A.S., Secretary to the Government of Uttar Pradesh, Labour Department and Shri S. A. Ahmad, I.A.S., Deputy Secretary to the Government of Uttar Pradesh, Labour Department as Chairman and Member respectively of the Regional Committee for Uttar Pradesh in the vacancies caused by the resignation of Shri A. D. Pande and Shri D. S. Misra, respectively and directs that the following further amendments shall be made in the notification of the Government of India in the Ministry of Labour No. S.R.O. 1357, dated the 15th April 1954, namely:—

In the said notification, for the entries (1) and (2), the following entries shall be substituted, namely:—

"(1) Shri S. S. L. Kakkar, I.A.S., Secretary to the Government of Uttar Pradesh, Labour Department, Lucknow.";

"(2) Shri S. A. Ahmad, I.A.S., Deputy Secretary to the Government of Uttar Pradesh, Labour Department, Lucknow."

[No. PF-II-45(22)57.]

New Delhi, the 12th May 1959

S.O. 1121.—Whereas immediately before the Employees' Provident Funds Act, 1952 (19 of 1952), became applicable with effect from the 1st August, 1956, to the establishment known as the Sastu Sahitya Mudranalya, Swami Akhandanand Road, Bhadra, P.O. Box No. 50, Ahmedabad, there was in existence a provident fund common to the employees employed in the establishment to which the said Act applies and the employees in its Branch Office situated at 150, Princess Street, Bombay-2;

Now, therefore, in exercise of the powers conferred by section 3 of the said Act, the Central Government hereby directs that the provisions of that Act shall also apply to the aforesaid Branch Office.

[No. PF. II. 7(10)59.]

S.O. 1122.—Whereas immediately before the Employees' Provident Funds Act, 1952 (19 of 1952), became applicable with effect from the 1st August, 1956, to the factory known as Messrs. Sundaram Industries Private Ltd., Pudukkottai, Madras, there was in existence a provident fund common to the employees employed in the factory, to which the said Act applies, and the employees in their Branch Office situated at 37, Mount Road, Madras-6;

Now, therefore, in exercise of the powers conferred by section 3 of the said Act, the Central Government hereby directs that the provisions of that Act shall also apply to the aforesaid Branch Office.

[No. PF. II. 9(48)58]

S.O. 1123.—Whereas immediately before the Employees' Provident Funds Act, 1952 (19 of 1952), became applicable with effect from the 1st October, 1956, to the factory known as Messrs. Geoffrey Manners and Company Private Limited, Hattersley Mills Estate, Bombay-Agra Road, Ghalkopar, Bombay, there was in existence a provident fund common to the employees employed in the factory, to which the said Act applies, and the employees in their other establishments shown in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by section 3 of the said Act, the Central Government hereby directs that the provisions of that Act shall also apply to the aforesaid establishments.

SCHEDULE

1. Messrs. Geoffrey Manners & Co. Private Ltd., Head Office, Magnet House, Ballard Estate, Bombay.
2. Messrs. Geoffrey Manners & Co. Private Ltd., Bombay Sales Office, Cadell Road, Dadar Post Office, Bag 7017, Bombay.
3. Messrs. Geoffrey Manners & Co. Private Ltd., Calcutta Branch, 2, Saklat Place, P.O. Box 8906, Calcutta-13.
4. Messrs. Geoffrey Manners & Co. Private Ltd., Madras Branch, 43, Moore Street, P.O. Box 1501, Madras.
5. Messrs. Geoffrey Manners & Co. Private Ltd., New Delhi Branch, Lakshmi Insurance Building, Ajmeri Gate Extension, P.O. Box 728, New Delhi-1.
6. Messrs. Geoffrey Manners & Co. Private Ltd., Bangalore Depot, 24, Mahatma Gandhi Road, P.O. Box No. 90, Bangalore.
7. Messrs. Geoffrey Manners & Co. Private Ltd., Gauhati Depot, Jaswanta Road, Pan Bazar, Gauhati.

[No. PF. II. 7(7)/59.]

F. 1). GAIHA, Under Secy.

New Delhi, the 11th May 1959

S.O. 1124.—The Government of the State of Uttar Pradesh having nominated, in exercise of the powers conferred by clause (d) of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), Shri S. P. Areen, I.A.S., Labour Commissioner, U.P., as a member representing the said State on the Employees' State Insurance Corporation, in place of Shri Uma Shankar, the Central Government, in pursuance of the said section 4, hereby makes the following further amendment in the notification of the Government of India in the Ministry of Labour and Employment No HI-1(196)/57 dated the 15th March, 1958, namely:—

In the said notification, under the heading 'Members' and sub-heading (Nominated by the State Governments under clause (d) of section 4)', for item 14, the following item shall be substituted, namely:—

"14. Shri S. P. Areen, I.A.S., Labour Commissioner, 'U.P., Post Box No 220, Kanpur."

[No. F. HI-1(110)/59.]

BALWANT SINGH, Under Secy.

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 11th May 1959

S.O. 1125.—In exercise of the powers conferred by the proviso to Article 309 of the Constitution, the President hereby makes the following rules regulating the method of recruitment to the post of Administrative Officer in the News Services Division, All India Radio, namely:

Short Title.—These rules may be called New Services Division, All India Radio, New Delhi recruitment rules, 1959.

Method of recruitment.—Recruitment to the post of Administrative Officer in the News Services Division, All India Radio, New Delhi shall be made in accordance with the provisions contained in the Schedule.

[No. 9(17)/58-B(A).]

R. B. SINHA, Under Secy.

ORDERS

New Delhi, the 6th May 1959

S.O. 1126.—The Central Government hereby:

- (a) directs, in pursuance of the provisions of the Order of the Government of India in the Ministry of Information and Broadcasting No. S.R.O. 3805, dated the 26th December, 1955 and in modification of the Order of the Government of India in the Ministry of Information and Broadcasting No. S.O. 260, dated the 23rd January, 1959, that the Advisory Panel of the Board of Film Censors at Calcutta shall consist of 20 members with immediate effect; and
- (b) appoints the following persons as members of the Advisory Panel of the said Board at Calcutta with immediate effect in exercise of the powers conferred by sub-rule (3) of rule 8 read with sub-rule (2) of rule 9 of the Cinematograph (Censorship) Rules, 1958:—
 1. Shri Apurva Kumar Chanda.
 2. Shrimati Pushpa Mayce Bose.

[No. F. 11/3/59-FC.]

S.O. 1127.—The Central Government hereby:

- (a) directs in pursuance of the provisions of the Order of the Government of India in the Ministry of Information and Broadcasting No. S. R. O. 3805, dated the 26th December, 1955 and in modification of the Order of the Government of India in the Ministry of Information and Broadcasting No. S. O. 785, dated the 3rd April, 1959 that the Advisory Panel of the Board of Film Censors at Madras shall consist of 34 members with immediate effect; and
- (b) appoints the following persons as members of the Advisory Panel of the said Board at Madras with immediate effect in exercise of the powers conferred by sub-rule (3) of rule 8 read with sub-rule (2) of rule 9 of the Cinematograph (Censorship) Rules, 1958:
 1. Shrimati S. Manjubhashini, M.L.C.
 2. Shri P. Ramachandran, M.L.A.
 3. Shrimati Sarla Reikhi.
 4. Shri M. M. Begg.
 5. Dr. K. C. Khanna.

[No. F. 14/1/57-FC.]

New Delhi, the 9th May 1959

S.O. 1128.—The Central Government hereby:

- (a) directs, in pursuance of the provisions of the Order of the Government of India in the Ministry of Information and Broadcasting No. S.R.O. 3805 dated the 26th December, 1955 and in modification of the

Order of the Government of India in the Ministry of Information and Broadcasting No. S.R. 652 dated the 14th March, 1959 that the Advisory Panel of the Board of Film Censors at Bombay shall consist of 32 members with immediate effect; and

- (b) appoints Bhagirath Prasad R. Dikshit as a member of the Advisory Panel of the said Board at Bombay with immediate effect in exercise of the Powers conferred by the proviso to sub-rule (3) of rule 8 read with sub-rule (2) of rule 9 of the Cinematograph (Censorship) Rules, 1958

[No. 11/2/59-FC.]

D. R. KHANNA, Under Secy.

